

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Inquiry Regarding Carrier Current	)	ET Docket No. 03-104
Systems, including Broadband over	)	
Power Line Systems	)	
	)	

**REPLY COMMENTS OF TELECOMMUNICATIONS FOR THE DEAF, INC.**

Telecommunications for the Deaf, Inc. ("TDI"), by its undersigned counsel, hereby submits late-filed reply comments in the above-referenced proceeding.<sup>1</sup> TDI is a national advocacy organization that seeks to promote equal access in telecommunications and media for the 28 million Americans who are deaf, hard-of-hearing, late-deafened, or deaf-blind, so that they may enjoy the opportunities and benefits of as well as equal access to developing telecommunications services to which they are entitled.<sup>2</sup> TDI believes that only by ensuring equal access for all Americans will society benefit from the myriad of skills and talents that persons with disabilities have to offer.

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<sup>1</sup> TDI requests leave to submit these late-filed comments and asks that FCC accept them because consideration of them is in the public interest and there is no harm in doing so.

<sup>2</sup> TDI educates and encourages consumer involvement regarding legal rights to telecommunications accessibility; provides technical assistance and consultation to industry, associations, and individuals; encourages accessible applications of existing and emerging telecommunications and media technologies in all sectors of the community; advises on and promotes the uniformity of standards for telecommunications technologies; works in collaboration with other disability organizations, government, industry, and academia; develops and advocates national policies that support accessibility issues; and publishes the quarterly GA-SK Newsletter\* and the annual *Blue Book, TDI National Directory & Resource Guide for Equal Access in Telecommunications and Media for People Who Are Deaf, Late-Deafened, Hard-of-Hearing or Deaf-Blind*.

TDI applauds the FCC for initiating this Notice of Inquiry, which considers the technical concerns and regulatory issues associated with Broadband over Power Line (“BPL”) systems. As a general matter, TDI supports the development of BPL technology because it has the potential to increase broadband access and competition, which would benefit all Americans. Before the Commission approves the use of this technology, however, the Commission must be assured that BPL systems will not interfere with hearing aids, telecommunications equipment, and visual signaling technology commonly used by deaf and hard-of-hearing people, such as door-bell ringers, telephone signalers, baby-cry signalers, visual smoke alarms, that operate in the 2 and 80 MHz range, or that are susceptible to radio frequency interference between 2 and 80 MHz (hereinafter collectively referred to as “Devices Used by Individuals with Hearing Disabilities”). For the reasons provided below, TDI asks that (1) the Commission require that BPL proponents, such as power companies and BPL equipment manufacturers (“BPL Proponents”), to perform related field and interference tests that demonstrate that BPL will not interfere with Devices Used by Individuals with Hearing Disabilities; and (2) the Commission give this issue the consideration necessary to ensure that such interference does not occur.

It appears that BPL Proponents have not directly addressed whether BPL systems will interfere with the frequencies in which Devices Used by Individuals with Hearing Disabilities operate. In large part, BPL Proponents submit that BPL field tests have resulted in limited, if any, complaints from customers or customers’ neighbors.<sup>3</sup> They further maintain that BPL interference is low risk and does not pose a significant risk for unintended high frequency radiations that will interfere with consumer devices, amateur radio operators, or other forms of

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<sup>3</sup> See, e.g., POWERWAN, INC. Comments at 3-4; Ameren Energy Communications Inc. at 13; United Power Line Council Comments at 9-10.

commercial communications (television, radio, mobile radio, etc.).<sup>4</sup> TDI is unaware, however, of any field tests or interference tests that BPL Proponents have performed to ensure that this technology does not interfere with devices that are used by deaf and hard of hearing persons. Based on the initial comments that TDI has reviewed, BPL Proponents do not specifically mention whether any tests were done to ensure that such interference does not occur. Independent tests, such as those conducted by the National Association for Amateur Radio (“ARRL”), have shown the potentially devastating impact of BPL on high frequency (3 to 30 MHz) amateur radio communications.<sup>5</sup>

As the NOI notes, the introduction of BPL service raises potential safety and interference issues. No one yet knows the precise nature and scope of these issues, and the Commission’s decision to gather information is entirely appropriate to do just that. It is within this fact-gathering process that the Commission must place the burden on prospective BPL providers to demonstrate that they have identified and addressed all foreseeable safety and interference issues, which includes any potential interference BPL may have on hearing aids, telecommunication equipment, and visual signaling technology commonly used by people who are deaf, hard-of-hearing, late-deafened, or deaf-blind.

TDI therefore urges that BPL Proponents address the issue of whether testing has been conducted to determine whether BPL equipment is likely to interfere with Devices Used by Individuals with Hearing Disabilities. Because BPL Proponents are the ones who stand to reap the financial rewards from BPL, it is only fair and in the public interest that they ensure that their services will cause no harm. In addition, TDI requests that the Commission be mindful of any issues with respect to BPL that could impact the myriad of assistive technologies used by this 28-

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<sup>4</sup> See, e.g., PPL Telecom Comments at 5; POWERWAN, INC. Comments at 8.

million population, and to ensure that the Commission's decision does not negatively affect consumers' ability to use those technologies.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Claude Stout", followed by a stylized flourish or set of initials.

Claude L. Stout, Executive Director  
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Dated: September 16, 2003

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<sup>5</sup> See Comments of ARRL at 10-12.